

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MISSOURI  
EASTERN DIVISION

ERNESTINE RENCHER,	)	
	)	
Plaintiff,	)	
	)	
vs.	)	Case No. 4:11CV1059 RWS
	)	
LARRY WILLIAMS, as TREASURER OF	)	
THE CITY OF ST. LOUIS, MISSOURI,	)	
	)	
Defendant.	)	

**MEMORANDUM AND ORDER**

This matter is before me on plaintiff's "motion to deny the summary judgment/order for a continuance." Plaintiff's opposition to defendant's motion for summary judgment is due tomorrow. Yesterday, plaintiff filed a motion to deny summary judgment or extend her time to respond to summary judgment so that she may take discovery about the return of service filed in this case. Plaintiff continues to insist that defendant is in default despite the fact that defendant has entered an appearance, answered plaintiff's complaint, engaged in discovery, filed numerous motions, and now moved for summary judgment. As I have explained in prior Orders, defendant is not in default. Moreover, discovery in this case has closed. Finally, plaintiff does not seek an extension of time so that she may properly respond to the issues raised by defendant in his motion for summary judgment. For all these reasons, plaintiff's motion will be denied. However, I will give plaintiff an additional ten (10) days to file her opposition to summary judgment.

Accordingly,

**IT IS HEREBY ORDERED** that plaintiff's "motion to deny summary judgment/order a continuance" [#46] is denied. Plaintiff's opposition to defendant's motion for summary judgment shall be filed no later than **August 6, 2012**, and any reply brief in support of summary judgment shall be filed no later than **August 16, 2012**.

  
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RODNEY W. SIPPEL  
UNITED STATES DISTRICT JUDGE

Dated this 24th day of July, 2012.